

October 26, 2012

To: Executive Board

Subject: **Proposed Foothill Transit Procurement Policies and Procedures Manual Revisions**

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## **Recommendation**

Approve and adopt a revision to Foothill Transit's Procurement Policies and Procedures to address task orders under "on-call" contracts.

## **Analysis**

In accordance with Foothill Transit's Procurement Procedures, special procedures are used to secure architectural and engineering and related services. A request for submittal of qualifications is issued, each firm's qualifications are evaluated and the most qualified proposed is selected. Under this method, Foothill Transit may not consider price as an evaluation factor in determining the most qualified proposer.

In anticipation of work related to Foothill Transit's San Gabriel Park & Ride projects, separate RFQs for architectural engineering and materials testing were issued. After review of all submittals, Foothill Transit chose a single firm to provide each of the "on-call" type of services. For each of the services, whenever the specific services were needed, a Task Order was issued to the consultant with a request that the consultant develop a scope of work, cost estimate, and schedule. It should be noted that the task orders for A&E services are specifically limited to projects where the services will be provided for less than \$75,000.

Upon receipt of the consultants' proposals, the Foothill Transit administrative team reviewed the proposals and then negotiated the final terms, including price, with the consultant. The basic contract that Foothill Transit has negotiated with both the A&E consultant and the materials testing consultant contains general terms and conditions, and provides that scope of work, schedule and compensation will be negotiated on a case by case basis and that a separate amendment to the base contract will be executed for each task order.

Under Foothill Transit's current Procurement Policies, either single amendments to a contract or cumulative amendments to a contract that are less than \$100,000.00 may be executed by the Executive Director. Under the task order concept that is being utilized, each task order would, in essence, be equivalent to a separate contract with each consultant. Under the proposed revision to the existing procurement policies, the Executive Director would be authorized to approve and execute separate task order amendments to on-call contracts. Executive Board approval would still be required for

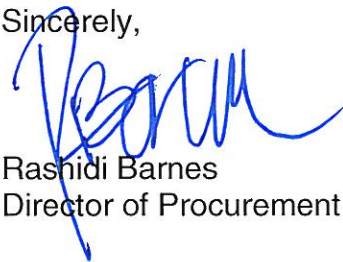
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any amendments to a single task order when the cumulative value of those amendments exceeds \$100,000.

### **Budget Impact**

There is no budget impact associated with this recommended action.

Sincerely,



Rashidi Barnes  
Director of Procurement



Doran J. Barnes  
Executive Director